

SP / *X* *169*
IN THE HIGH COURT OF KARNATAKA AT BANGALORE
DATED THIS THE 8TH DAY OF JUNE 1998

B E F O R E
THE HON'BLE MR.JUSTICE P.VISHWANATHA SHETTY
WRIT PETITION NO.16264/1998

BETWEEN:

Ramagouda, S/o Basalinge Gowda,
Patil, Major, R/at Halagabali
Village, Taluka Athani,
Dist: Belgaum. ... Petitioner.

(By Sri.G.Balakrishna Shastry for Petr.)

AND:

1. The Asst. Commissioner,
Chikodi, Dist: Belgaum.
2. The Tahsildar,
Athani, Dist: Belgaum.
3. Ninganagouda Sangagouda Patil,
Major, R/at Hulagabali,
Taluka Athani, Dist: Belgaum.
4. Smt. Shanthabai Sangagouda Patil,
Major, R/at Kalloti, Taluka
Athani, Dist: Belgaum. ... Respondents.

(By Sri.Kotian, Addl.G.A., for R-1 & R-2.)

This Writ Petition filed under Articles 226 & 227 of the Constitution of India with an affidavit praying to: Quash vide Annex.B & A dt. 4-5-98 & 29-8-96 by R-1 & 2 respectively & etc.

This Writ Petition coming on for preliminary hearing this day, the Court made the following:

O R D E R

It is not in dispute that the validity of the will is under challenge in suit O.S.No.272/96. Since the parties are already before the civil court, I am of the opinion it is not appropriate for me to interfere against the impugned orders in this petition. However, it is made clear that the civil court while considering the respective claim of the parties should not be guided by the entries made in the revenue records which are under serious dispute. Subject to the observation made above, this petition is rejected.

Sri Kotian, learned Government Advocate is given four weeks' time to file his memo of appearance.

Sd/- Judge.

bsr(o.s.)

r.by: ✓ 6/6/98

c.by: ✓

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WZ
Assistant Registrar
High Court of Karnataka
Bangalore-560 001
106-298 AD